

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**NEW WORLD MONTESSORI
SCHOOL,**

Plaintiff,

v.

THE UNITED STATES OF AMERICA,

Defendant.

EP-24-CV-00322-DCG

**ORDER REQUIRING PARTIES TO FILE JOINT RULE 26(f) REPORT
AND PROPOSED SCHEDULING ORDER**

The Court **ORDERS** the parties to **CONFER** as Federal Rule of Civil Procedure 26(f) and Local Rule CV-16(c) require and **JOINTLY FILE** a **Joint Rule 26(f) Report** that conforms substantially to Appendix N of this Court's Local Rules by **January 31, 2025**.

Besides answering the questions in Appendix N, the parties' Joint Rule 26(f) Report must also state or provide:

- (1) A short statement of the facts that form the basis of Plaintiff's claims and those that form the basis of Defendant's defenses.¹ Each side's statement shall be no longer than one page with double-spaced type.
- (2) Whether any party demands or has demanded a trial by jury;² and

¹ This item asks for the *factual* bases of the parties' claims and defenses, which is different from Question No. 1 in Appendix N; the latter asks for the nature of "the causes of action, defenses, and counterclaims" and the elements of their proof.

² See FED. R. CIV. P. 38, 39(b), 81(c)(3).

(3) Whether the parties consent to a United States Magistrate Judge conducting further proceedings in the case (including trial), entering a final judgment, and conducting post-judgment proceedings.³

The parties must also **JOINTLY FILE** a **Proposed Scheduling Order** that conforms substantially to Appendix B of the Local Rules **by that same date**.

Plaintiff **SHALL** also **FILE** a disclosure statement in accordance with Federal Rule of Civil Procedure 7.1(a)(1) **by that same date**.

So ORDERED and SIGNED this 20th day of December 2024.



DAVID C. GUADERRAMA
SENIOR U.S. DISTRICT JUDGE

³ Pursuant to 28 U.S.C. § 636(c)(1), all full-time Magistrate Judges may try any jury or non-jury civil case with all parties' consent. Because of the crowded condition of this Division's criminal docket and the resulting difficulty in scheduling civil trials before a District Judge, the parties may wish to consent to trial by a United States Magistrate Judge. Such consent must be voluntary, and a party is free to withhold consent without suffering adverse consequences.

If all parties so consent, the Court will enter an order referring the case to a Magistrate Judge for trial and for entry of judgment. If the Court has previously referred the case to a Magistrate Judge for pretrial matters, the trial will occur before the Magistrate Judge already assigned to the case.